IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO. 63 OF 1994

RAJARAM R.XETE PARODKAR & ORS. ....Appellant

Versus

SUBRAIA R.XETE PARODKAR(DEC)BY LRS. ....Respondent

Mr. V. Menezes, Advocate for the appellants.

Mr. Nitin Sardessai, Advocate for respondent No.2(a & b).

Mr. Devidas Pangam, Advocate for R.2c(b), 2d(b),2c(a),2d(a) and respondent No.3.

Coram:- P.V. KAKADE, J.

Date:- 18th August, 2006

P.C.

Heard learned Counsel for both the parties. Perused the record. It is submitted that in view of the subsequent amendment in Goa Civil Courts (Amendment)Act, 1998, the matter pertains to the jurisdiction of the District Court and, therefore, it is required to be remitted to the District Court for adjudication, on merits.

2. Hence, by consent of all the concerned parties, the appeal is remanded to the District Court for adjudication and disposal according to law. Since the matter is quite old, the District Court will be well advised to expedite the hearing of the matter. The suit pertains to the year 1979. All the parteis involved in the suit are practically senior citizens. The suit is expedited and is directed to be disposed of as early as possible and in any case within six months from the date of receipt of writ of this Court.

The suit pertains to partions of the property. The partitions were stayed during the pendency of the appeal in this Court. The said stay shall

continue to operate pending the appeal in the District Court.

P.V. KAKADE, J.

ssm.